## REMARKS

In the office action, Claims 1-5 are rejected under 35 U.S.C. § 103(a). Claims 1 and 3 have been amended. Applicants believe that the rejections have been overcome in view of the amendments and at least for the reasons set forth below.

With respect to the obviousness rejection of Claims 1-5, the patent office relies on U.S. Patent No. 6,219,694 to Lizaridis ("*Lizaridis*"). Of these Claims, Claims 1 and 3 are the sole independent claims. As previously discussed, Claims 1 and 3 have been amended to include clarifying language. In view of same, this rejection should be overcome, and thus Applicants respectfully request that the obviousness rejection be withdrawn.

Independent Claims 1 and 3 recite a content delivering method for transmitting a content file from a server to a user terminal unit through a network. The method includes, in part, designating a non-skip area of a content file, where the non-skip area cannot be designated by a user. Instead, for example, a content managing company totally manages the content file, such as content data of moving pictures including movies and dramas, content data of still pictures, content data of music programs and the like. *See, Specification*, page 4, lines 7-9. This designation is not controlled by the user. Claims 1 and 3 also recite, in part, causing the server to transmit information corresponding to the non-skip area to the user terminal unit by another transmitting means when the server receives information indicating that the non-skip area has been skipped. Thus, if the user has skipped the non-skip area, information corresponding to the non-skip area is nonetheless delivered to the user. For example, when the non-skip area is a commercial, it is delivered to the user by another transmission means, such as electronic mail. *See, Specification*, page 15, lines 9-11.

Applicants believe that Claims 1-5 are nonobvious with respect to the *Lizaridis* reference for at least a number of reasons. For example, *Lizaridis* and the claimed invention differ with respect to how the *Lizaridis* patent and the claimed invention handle the creation of triggering events. The patent office stated that the original Claims 1-5 left unclear whether the user would have "designation" authority. *Office Action*, 5. As amended, Claims 1 and 3 recite, in part, that the non-skip areas are not designated by the user, in direct contrast to the user defined "triggers" in *Lazaridis*. Not allowing the user to set the triggering actions is not obvious in light of *Lazaridis*, since *Lazaridis* only contemplates a situation where the user designates the triggers.

*Lizaridis* and the claimed invention also differ with respect to what constitutes a "trigger". The patent office states that the *Lazaridis* triggers "would obviously include designation of code/data (a non-skip area) for purposes of triggering redirection." *Office Action*, 3. However, *Lazaridis* does not provide triggers that are based on the content of the files themselves. It is not obvious to include a trigger based on the content of the file, especially in light of the fact that the content files that *Lizaridis* handles are e-mail messages and the user does not know the exact content of the messages that are being delivered to the mobile device. To base a trigger on sections of streaming media, as described, is neither obvious in light of nor directly disclosed by *Lizaridis*.

Also, *Lizaridis* and the claimed invention differ with respect to how they add additional information to the content files. The patent office states that "*Lazaridis* discloses wherein the information associated with the non-skip area includes at least one of: user information, file ID, non-skip area data and content creator information." *Office Action*, 3. However, the cited reference refers to a "repackaging of the user data items." *Lazaridis* defines the repackaging techniques as various modes of "wrapping", that serve to display the redirected messages in such a way that the message appears the same when displayed on the user's original computer or on the user's mobile device. (Col. 4, lines 4-9). This differs from Claim 5. Claim 5 is not a "wrapping" of the message nor altering the appearance of the content, it is adding additional information that has an effect on the method of viewing the content. Also, this additional information is not alterable by the user. Since the information is for a completely different purpose as that of the "repackaging" it is not obvious that the information from Claim 5 would be necessary in light of *Lazaridis*.

The differences between the cited reference and the claimed invention are consistent with the different problems that the cited reference and the claimed invention seek to overcome. *Lizaridis* and the claimed invention relate to different problems. On one hand *Lizaridis* is designed to facilitate a user forwarding messages from one device, such as a personal computer, to a mobile messaging device, whereas the claimed invention allows controlled content to be delivered to a user. Unlike the claimed invention, the user in *Lizaridis* has full control over the content delivery and viewing. Again, the claimed invention provides a content file that has a non-skip area that represents an important portion of the content file that the information



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provider wants the user to see, where the user cannot designate the non-skip area. When the non-skip area is skipped, information corresponding to the non-skip area is transmitted to the user terminal unit using another transmission channel, such as electronic mail. Thus, the information provider is ensured that the important information has been securely delivered to the user. *See, Specification*, page 13, lines 1-5.

The patent office states that Claims 2 and 4 are unpatentable over *Lazaridis*. As noted above, the claimed invention and *Lizaridis* are designed for different purposes. Claims 2 and 4 disclose, in part, using electronic mail to deliver portions of the original content file. This would not be obvious in light of *Lizaridis* that deals with transmitting entire electronic mail files with the content unaltered. Therefore, Claims 2 and 4 are not obvious in light of nor directly disclosed by *Lizaridis*.

For at least these reasons, *Lizaridis* does not disclose, teach or suggest the claimed invention. Therefore, Applicants respectfully submit that *Lizaridis* fails to render obvious the claimed invention and thus this rejection should be withdrawn.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

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